



CITY OF REDMOND
APPEAL APPLICATION FORM

(Staff Use Only)

File No: _____

Date Received: _____

This appeal application form is for appeals of Technical Committee and Hearing Examiner decisions only.

Do not use this form if you are appealing a decision on a:

- Shoreline Permit
- Shoreline Variance
- Shoreline Conditional Use Permit
- Hearing Examiner decision on a SEPA appeal
- City Council approval or denial

Appeal Applications may be delivered to the Office of the City Clerk-Finance/Hearing Examiner by email, mail, personal delivery or by fax before 5:00 P.M on the last day of the appeal period.

City of Redmond Office of the City Clerk-Finance/Hearing Examiner Contact Information:

Mailing Address:
Office of the City Clerk/
Hearing Examiner
P.O. Box 97010, 3NFN
Redmond, WA 98073

Personal Delivery:
City Hall, 2nd Floor
Customer Service Center
C/O City Clerk's Office
15670 NE 85th Street
Redmond, WA 98073

Phone: 425-556-2191
Fax: 425-556-2198
Email: cdxanthos@redmond.gov
Web: <http://www.redmond.gov>

Appeals of City Council decisions may be appealed to Superior Court by filing a land use petition which meets the requirements set forth in RCW Chapter 36.70C. The petition must be filed and served upon all necessary parties as set forth in State law and within the 21-day time period as set forth in RCW Section 36.70C.040. Requirements for fully exhausting City administrative appeal opportunities must be fulfilled.

Section A. General Information

Name of Appellant: LARRY HOOPER
Address: 10702 158th CT NE
City: Redmond State: WA Zip: 98052 Email: LMHOOPER@Comcast.net
Phone: (home) 425-881-0825 (work) 425-445-1608 (cell) _____

What is your relationship to the project?

☐ Interested Citizen ☒ Project Applicant ☐ Government Agency



CITY OF REDMOND
APPEAL APPLICATION FORM

(Staff Use Only)

File No: _____

Date Received: _____

Name of project that is being appealed: 14609 NE 91st St.

File number of project that is being appealed: _____

Date of decision on project you are appealing: _____

Expiration date of appeal period: _____

Please choose the applicable appeal:

- ☒ Appeal to the Hearing Examiner of a Technical Committee Decision
- ☐ Appeal to City Council of a Hearing Examiner decision on an appeal
- ☐ Appeal to City Council of a Hearing Examiner decision on an application

Pursuant to the Redmond Zoning Code, only certain individuals have standing to appeal a decision on application or appeal. Below, please provide a statement describing your standing to appeal. (Please review the back page to determine if you have standing to appeal.)

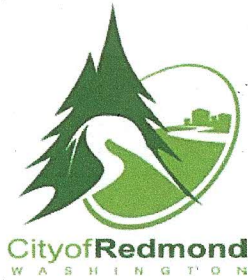
Property Owner

Section B. Basis for Appeal

If you are appealing a Technical Committee Decision, please fill out items 1, 2, and 3 **only**. If you are appealing a Hearing Examiner's decision on an application, or a Hearing Examiner's decision on an appeal, you only need to fill out item 4 below. Attach additional sheets if necessary.

1. Please state the facts demonstrating how you are adversely affected by the decision (attach additional sheets as necessary):

On May 6th 2016 part of my
Commercial building was destroyed by fire. The City of
Redmond has denied a reconstruction permit. Since
the fire we have suffered a significant loss of
income. Over 20% of our warehouse was destroyed



CITY OF REDMOND
APPEAL APPLICATION FORM

(Staff Use Only)

File No: _____
Date Received: _____

2. Please provide a concise statement identifying each alleged error and how the decision has failed to meet the applicable decision criteria (attach additional sheets as necessary):

See attached

3. Please state the specific relief requested (attach additional sheets as necessary):

We request to have our building identified as a legal nonconforming structure so it can be rebuilt using the existing footprint, setbacks, parking and landscaping. We would like to be made whole and placed back into the same condition as we were prior to the fire.

4. Please provide a written statement of the findings of fact or conclusions (as outlined in the Hearing Examiner's decision) which are being appealed (attach additional sheets as necessary):



CITY OF REDMOND
APPEAL APPLICATION FORM

(Staff Use Only)

File No: _____
Date Received: _____

Standing to Appeal

TECHNICAL COMMITTEE DECISIONS

For appeals of a Technical Committee Decision on a Type I or II permit, the project applicant or any person who submitted written comments (party of record) prior to the date the decision was issued may appeal the decision. The written appeal must be received by the City of Redmond's Office of the Hearing Examiner no later than 5:00pm on the 14th calendar day following the date of the decision by the Department.

HEARING EXAMINER DECISION ON APPEALS OF TECHNICAL COMMITTEE DECISIONS

For appeals of a Hearing Examiner Decision on an Appeal of a Technical Committee Decision, the project applicant, any person who participated in the public hearing as provided in RZC 21.76.060, or the City may appeal.

HEARING EXAMINER DECISIONS

For appeals of a Hearing Examiner Decision, the project applicant, any person who participated in the public hearing as provided for in RZC 21.76.060, or the City may appeal.

2.

The City of Redmond's decision to deny was based on their assumption that the 45 year-old commercial wooden structure was never permitted because they cannot locate it. Our assertion is that it is more likely that a permit was in place but lost by the City. The wooden structure in question was built in 1975 when Redmond's population was 15,217. This building is located one mile from the Cities' building department / City Hall. Common sense concludes that it would have been very difficult, and nearly impossible to have a building project take place in such close proximity to City Hall without a permit. It is illogical to think that even if the construction phase was overlooked, that the City would not have noticed the additional structure after the fact. It is entirely probable that a red flag was not raised because the building department was aware of the construction since they had a permit in their possession. Since no record can be found it could just as easily mean that it was lost prior to being shared with King County, thus never being recorded. At almost any time in the past, if the issue of a missing permit were identified, it is certain that one could have been re-issued "as built" avoiding future problems.

The City government has conducted annual fire inspections of the property for the twelve years that we have owned the property. Approximately ten years ago we were required to update the insulation by the RFD. It is my assumption that the City has been annually inspecting all commercial properties for many years. We purchased this property in 2004 relying on what was physically seen. It never crossed our mind to question if the City had done due diligence with code enforcement. We relied on the City to fulfill its responsibilities. We purchased this property as-in-seen condition for our business. We have operated our business for over a decade utilizing the entire property. The property was developed before any stringent zoning ordinances were adopted. Our use was lawful, continuous and not occasional or intermittent. Therefore, if the City was aware of the structure, it is the Cities' responsibility to use due diligence enforcing their building code to protect its' citizens. However, in this case not only have we not been protected, but we have been punished by this negligence.